

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 3-5, 10, 13, 15-17, and 22 are presently pending. Claims amended herein are 1 and 13.

Statement of Substance of Interview

[0004] Examiner King graciously talked with Michael D. Carter—the undersigned representative for the Applicant—on June 26, 2008. Applicant greatly appreciates the Examiner King’s willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, I discussed how the claims differed from the cited references, namely Underwood. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0006] I understood Examiner King to tentatively agree that independent claims 1 and 13 (and claim 17, unamended) would overcome the rejections of record if amended as discussed during the interview. For example, Examiner King indicated that clarification regarding indicating that the first and second channel members have a “C”-shaped cross section would overcome the rejections of record. However, Examiner King indicated that she would need to review the cited art more carefully and/or do another search, and requested that the proposed amendments be presented in writing.

[0007] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Claim Amendments

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1 and 13 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

Substantive Matters

Claim Rejections under § 102 and § 103

[0011] Claims 1, 3-5, 10, 13, 15-17 and 22 are rejected under 35 U.S.C. § 102 and/or § 103. In light of the amendments presented herein and the decisions/agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0012] The amendment to the claims clarify that the first and second channel members have a "C"-shaped cross section. Underwood teaches a panel element having an upper plate 24, a lower plate 26, and sides 28 and 30. Sides 28 and 30 comprise configurations that are mateable such that two mating panel elements may be interlocked. The Applicant's invention, however, describes the channel members having a "C"-shaped cross section [the sides 28 and 30]. Underwood does not suggest having sides 28 and 30 having a "C"-shaped cross section and further teaches away from sides 28 and 30 having the "C"-shaped cross section by advocating sides 28 and 30 be interlocking. Were Underwood modified to include Applicant's invention, Underwood would not achieve the goal of having sides 28 and 30 interlocking.

Conclusion

[0013] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

___/Michael D. Carter/_____ Dated: ___7/10/08___

Michael D. Carter (michaelcarter@leehayes.com; 512-505-8164)

Registration No. 56661

Emmanuel Rivera (emmanuel@leehayes.com; 512-505-8162)

Registration No. 45760

Customer No. **60483**

Telephone: (512) 505-8162

Facsimile: (509) 323-8979

www.leehayes.com